

DOMESTIC EXTERNSHIP PROGRAM SUFFOLK UNIVERSITY LAW SCHOOL

STUDENT GUIDE

*Welcome to the Suffolk University Law School's Domestic Externship Program.
Please read this Student Guide carefully and then meet with one of the directors to
explore the creation of a program tailored to your skills and goals.*

Sincerely,

Professor Kaitlin Brophy, Director

clinicalexternships@suffolk.edu

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I. Why do an Externship?

A. Exploring Legal Profession Options

Many students come to law school without a definite career plan. Externships are an easy way to explore different legal settings in a short-term, intensive way. A one-semester experiment in litigation or legal services may give you valuable information about your own likes and dislikes.

B. Developing Lawyering Skills

Students often want an opportunity to further refine their legal research, writing, and drafting skills outside of the classroom. Certain externships enable students to churn out a stream of legal research projects and pleadings; this provides valuable practice. Similarly, other skills, such as interviewing, counseling, mediation, and oral advocacy can be practiced in a rewarding setting under the supervision of experienced lawyers.

C. Developing Intensive Knowledge in a Chosen Specialty

Students who have discovered a subject (or two) of special interest may further develop their substantive knowledge through externships. Someone devoted to environmental law, for example, may choose a state or federal agency performing environmental law, or they may work in public interest organizations devoted to these issues.

Specialized externships help you become familiar with topical issues in the field. They may generate potential research paper topics, special projects and collegial relationships. Students who have done a few externships or part-time projects in a specialized area often know the major players in the field by the time they graduate from law school.

D. Creating an Integrated Academic Curriculum

Each of us has our own unique learning style and unique academic attributes. For those "who learn best by doing," externships, like clinical programs and skills-based courses, round out a semester otherwise filled with a majority of classroom courses. We encourage students to plan ahead and schedule externships in conjunction with related classroom offerings. For example, a student interested in family law might arrange a semester enrolled in a family law course to coincide with a family law externship.

II. Frequently Asked Questions

Q: Should I do an externship if I already have a part-time legal job?

It depends. If you feel a strong interest in developing other skills and observing lawyering in a different context, then you may want to try an externship. You should speak with one of the

Externship directors regarding potential conflict of interest issues.

Q: Should I do an externship "just to put something on my resume?"

If you do not have any legal experience, you may indeed benefit from the experience obtained in an externship. But you may want to do some self-exploration before you proceed. Consider some of the career advising resources available to you through the Externship Program and the Office of Professional and Career Development. By the time you begin interviewing for externships and positions, you should have considered questions like:

1. Why did I come to law school?
2. What are my personal strengths and weaknesses?
3. What are my professional strengths and weaknesses?
4. What questions do I have about where I am going with my law degree?
5. What does this externship position do to further the answering of my questions?

Q: May I get paid for academic externships?

The law faculty has approved a policy that allows paid externships that meet certain requirements.

III. The Domestic Externship Program: Program Description and Requirements

The Domestic Externship Program provides opportunities for students to apply newly acquired legal knowledge to real world problems. The first-hand experience of the practice of law enhances the development of legal skills, builds professional confidence and competence, and eases the transition from law school to post-graduate employment.

Prior students have externed in a variety of legal settings including state and federal courts; federal, state and local government agencies; legal aid organizations; public defenders; and private law firms and corporations.

For some students, the primary motivation may be to provide legal services to those in need or to

promote social justice; for others, the goal may be to test career interests. The classroom component, individual supervision, and journal and reflective exercises described below are designed to enhance students' ability to reflect on their experience and on their learning styles and lawyering skills.

Formal Requirements

The requirements for the Domestic Externship Program are set forth below.

1. Nature of work

The law student performs legal work under the supervision of a lawyer (the “Site Supervisor”) in an approved field placement agency or organization. Site Supervisors must agree in advance to comply with our academic requirements. While lawyers may work in any number of legal and non-legal roles and settings, the supervised work must be primarily legal.

2. Faculty supervision

A Suffolk University Law School Faculty Supervisor oversees the fieldwork and serves as a professional guide for the student. The Faculty Supervisor will be the Director of Externships.

3. Journals and Time Logs

The student submits journals and time logs. Time logs catalogue the student’s activities for the placement office and a short weekly reflection. Journals and time logs are reviewed regularly by the on-campus faculty supervisor. The review assures that the student is receiving quality legal work and adequate supervision.

4. Credits

A student may earn 2 to 5 credits for unpaid externships and 3 credits for paid externships during the semester for work done at the legal externship placement. One credit is earned for each forty-five (45) hours of legal work in the field. Professor Kaitlin Brophy or her designee must approve the number of credits appropriate for the student and the given placement.

Students are required to begin their externship within one week after the date classes begin for the semester. Students are required to end their externship within one week before the date classes end in the semester. Please check the academic calendar to see when classes begin and end in the semester you are participating in an externship.

We encourage students to earn at least 3 credits for the externship, if scheduling permits. We recognize that Evening students and those with heavy responsibilities may find this difficult. Try

to allocate more hours to the placement, so that you may maximize your opportunity to engage in substantial legal work. Certain litigation and judicial externships require a minimum of 15-20 hours per week.

Students should be realistic about their academic course load and their extra-curricular commitments when deciding whether to extern and when proposing the number of credits to be earned in the placement. Commitments to site supervisors who regularly take responsibility for SULS externs must be honored to maintain the quality of field placements which the Program has established.

5. Domestic Externship Class Component

**Offered Fall and Spring: Public Interest Lawyering
(2 academic credits) Private Sector Lawyering**

Offered Summer Semester (1 academic credit): Legal Process and Practice

This course is **required** for all students enrolled in the Domestic Externship Program. The credits granted for these courses are in addition to and independent of any credits awarded for that field placement experience. This classroom component will cover topics including ethical issues relating to externships; professional identity formation, economic, social and moral issues in the legal profession; workplace skills; and discussion of field experiences. For their externship placement, students are required to keep regular journals, which also will be discussed in this class. Readings and class participation are essential components of the course. An in-class oral presentation on a topic related to the student's fieldwork experience is required in the 2-credit externship class. An extended journal on an ethical issue is required. This paper will not satisfy the writing requirement. Student work is graded on a H/P/LP/F basis.

If a student is unable to take the Externship course due to extraordinary circumstances, the student may request admission to another externship course (if appropriate) or a waiver of this course to be supervised individually by the Externship Director or their designee. Requests for waivers should be made to the director of the externship program assigned to you, no later than 1 full week in advance of the semester add/drop date. Late requests for waivers may not be considered. Please note that a work or class conflict will not ordinarily be found to be an extraordinary reason not to participate in the externship seminar.

6. Policy Allowing Compensated Externships

A SULS externship may be paid or unpaid. Paid externships are limited to a total of not more than 3 credits towards a student's J.D. These credits must be taken in one semester. SULS is not responsible for monitoring or arranging compensation. All issues regarding compensation are solely between the placement and the student. All paid placements must comply with the mandates of the ABA Law School Standards and all the requirements of the Externship Program. For students already engaged in law related employment, current work and/or placements will not automatically qualify for this program. In order to qualify, a student and placement must (1) comply with the mandates of the ABA, (2) fulfill all Externship Program requirements, and (3) submit an educational plan providing that the student's work will be law related and focused on developing lawyering skills. Acceptance of the student into the program is subject to the approval of the student's assigned Externship director.

7. Single clinic requirement

The student may not enroll in *any other* clinical program during the semester in which they participate as an extern.

8. Total Experiential Credit Limitation

Suffolk students are encouraged to take advantage of both our externship and clinical programs. Students may receive **a maximum of 12 credits** during their academic tenure for clinical and externship placement credits. The Externship course does not count toward this limitation.

9. Second Time Takers

Students seeking to take a second externship must obtain the approval of Professor Brophy or her designee. Continuing a single externship for a second semester will be approved only if continuing the externship presents an extraordinary educational opportunity.

10. Grades

Placement credits are graded credit/no credit. The classroom component is graded separately (see course description), using HP/LP/NP

11. Evaluations

Site Supervisors are required to evaluate student work. This evaluation becomes part of the student's Externship Program file.

12. Eligibility

DAY STUDENTS & HYBRID JD STUDENTS

Any day or hybrid JD student who meets all externship program requirements and has a GPA *above* 2.67 after the fall semester of their first year is eligible to apply for an externship to begin during the summer after their first year. Any day or hybrid JD student who has a GPA *below* 2.67 after the fall semester of their first year is ineligible to apply for an externship to begin during the summer after their first year. Thereafter, all day and hybrid JD students will be eligible to apply for externships, provided they meet all program requirements and are in good academic standing at the time of their applications.

EVENING STUDENTS

Any evening student who meets all externship program requirements and has a GPA *above* 2.67 after their third semester is eligible to apply for an externship to begin during the spring of their second year. Any evening student who has a GPA *below* 2.67 after their third semester is ineligible to apply for an externship to begin during the spring of

their second year. Thereafter, all evening JD students will be eligible to apply for externships, provided they meet all program requirements and are in good academic standing at the time of their applications.

ACCELERATED JD STUDENTS

Any day accelerated JD student who meets all externship program requirements and has a GPA *above* 2.67 after their first semester (summer) is eligible to apply for an externship to begin during the spring of their first full year (third semester). Any accelerated JD student who has a GPA *below* 2.67 after their first semester (summer) is ineligible to apply for an externship to begin during the spring of their first full year (third semester). Thereafter, all day accelerated JD students will be eligible to apply for externships, provided they meet all program requirements and are in good academic standing at the time of their applications.

Any evening accelerated JD student who meets all externship program requirements and has a GPA *above* 2.67 after their third semester (spring) is eligible to apply for an externship to begin during the following summer. Any evening accelerated JD student who has a GPA *below* 2.67 after their third semester (spring) is ineligible to apply for an externship to begin during the following summer. Thereafter, all evening accelerated JD students will be eligible to apply for externships, provided they meet all program requirements and are in good academic standing at the time of their applications.

13. Lexis and Westlaw

Please consult with Professor Brophy or her designee about the use of your student Westlaw and/or Lexis law school passwords for field placement work.

14. Outside Work

If you have an outside job while you are externing, whether compensated or uncompensated, you must inform Professor Brophy or her designee and your Site Supervisor of the details of that position. If there are any changes in the status of your employment during the semester, you must promptly inform both.

15. Private Law Firm Placements

For unpaid externships, placements may not bill clients for student work. The student and site supervisor must agree to this in writing prior to placement approval.

In order to serve as a field supervisor, in any externship paid or unpaid, private attorneys must certify to the Board of Bar Overseers that they are covered by professional liability insurance. Students may not extern for credit for a law firm in which a family member is employed.

16. Contact The Externship Program

Students interested in a for-credit externship should contact the externship program at clinicalexternships@suffolk.edu

IV. Educational Goals

The Domestic Externship Program at Suffolk University Law School has the following goals:

1. To promote student development of a wide range of lawyering skills.
2. To provide an opportunity for students to reflect upon the role of the attorney in the workplace and the profession at large.
3. To expose the student to the realities of professional life and to a variety of styles of legal practice to promote better informed decisions about professional life.
4. To enable students to learn doctrine through practical application.
5. To expose the student to the role of attorney as problem solver.
6. To promote student acknowledgment and assessment of their personal and ethical values to develop fully as lawyers.

SKILLS

In the course of your externship, you will be exposed to a wide range of lawyering skills. Some of you may be under the misconception that lawyering only means “litigation” or “being on trial.” In fact, the full spectrum of lawyering skills ranges from problem solving, to transactions, to drafting proposed rules and regulations for an agency.

As you observe lawyering in your new placement, think carefully about the particular legal functions which you are learning and try to maximize your ability to do each one. The wonderful flexibility inherent in lawyering is that if you learn these skills well, you can transpose your use of them into many environments.

Legal Research: Hard copy research; computer-based research; refinement of research strategies.

Writing: Legal correspondence; legal research memoranda; drafting pleadings: complaints, answers, interrogatories, discovery requests, responses and dispositive motions; brief writing: trial and/or appellate briefs.

Fact Finding: Discovery; independent investigations; telephonic and library research.

Interviewing techniques: Initial client interview; witness interviews; deposition techniques.

Negotiation skills: Informal oral advocacy and conflict resolution with opposing counsel or law enforcement officials.

Mediation and Alternative Dispute Resolution: Specialized techniques for resolving disputes during or prior to litigation.

Trial Techniques: Oral argument; direct and cross-examination of witnesses; trial strategy; trial memoranda and motions.

Opinions: Administrative agency, court and professional opinions concerning the legality of proposed or past actions.

Client Relationship: Starting the relationship; cooperating on development of client legal strategy; maintaining the relationship and enabling client to assist in the process.

Substantive Knowledge: Becoming familiar with the relevant statutes, regulations, case law, and dominant legal principles.

Problem-Solving: Problem definition; developing problem-solving strategies.

Procedural Knowledge: Becoming familiar with the state or federal rules of evidence, civil and criminal procedure and rules of court.

Institutional Knowledge: Becoming familiar with the structure and processes of agencies and other organizations.

Workplace Skills: Nature of the workplace; nature of relationships: among lawyers, technical and support staff, among opposing attorneys, attorneys and judges, and attorneys and other officials; working conditions (space, hours, degree of autonomy and direction).

VALUES

Terms like justice, ethics and morality are difficult to define, but most students who enter law school have a well-developed sense of values. Those values should influence the student in choice of career or externship

V. The Application Process

You may find listings of externship opportunities available to Suffolk students on Symplicity or secure your own work position that you wish to turn into an academic externship. Wherever you are in this process, Professors Brophy and Weng assist students in the assessment of skill development needs and professional goals, and in the ultimate selection of externships. They also help students to consider carefully their educational and professional objectives. **A meeting with the Externship director assigned to you is required before you may formally apply for an externship.**

Students are encouraged to arrange their academic program to take full advantage of the externship opportunity and other clinical programs at the Law School. Below is the application process:

12. Schedule a meeting with the appropriate Externship director to discuss externship opportunities or an externship opportunity the student has already secured and the externship application process. Students are assigned to an Externship director by last name:

Last name A-L:	Prof. Brophy
Last name M-Z:	Prof. Weng

13. After the meeting, the student receives the online externship application link.
14. The student's assigned Externship director reviews the submitted application and informs the student of the approval or denial of the application to participate in an externship.

VI. How to Choose an Externship

The selection of an externship may, at first glance, be daunting. For many students, the search for placement may be their first foray into the legal world. Others may have more knowledge about the life of the lawyer from previous employment, or friends or relatives. Ideally, we want to place students in legal externship positions that will advance their long term educational and placement goals. For many students, this will involve both "interior" and "exterior" searches. An interior search will require personal introspection and the use of skills and interest inventories. The exterior search would involve a study of legal opportunities. The ultimate responsibility for placement remains with the student who must initiate contact with the proposed placement supervisor and secure agreement to serve in that role. But before a student contacts the placement, he or she should give careful consideration to personal goals and the character of the placement he or she is seeking.

The Professional World

The legal world can be categorized in an infinite variety of ways. Demographic studies report that approximately 70% of all lawyers are in private practice in law firms or businesses. Individual representation, or general practice, involves primarily real estate, wills and estate planning, tort and workers' compensation, domestic relations, tax and small criminal matters (including juvenile). Business practice involves general business associations and then specialty work depending on the nature of the business. Most of the other thirty percent of the profession works for government or as in-house counsel for businesses.

Within the above categories, numerous sub-categories exist. Practice settings vary from working alone to working in large groups. Some can be done part-time, others cannot. There is rich literature which describes the many professional options for students.

Long Term Goals

Other things being equal, students should choose placements that serve their long-term goals. Developing a specific five-year plan for oneself is ideal. Placement people tell us to do a personality inventory. What are my strengths and weaknesses? Am I sufficiently self-motivated to work on my own? Is the rough and tumble atmosphere of a criminal court attractive to me? How can I satisfy my ideals in practice? Of course, as future job applicants, we need to assess our background. Can I build upon my undergraduate major or work experience? Do I have friends or relatives in the legal world who can: advise me now or employ me in the future? Are my goals realistic? Is my area of interest growing? Where do I want to live? Boston or the West Coast, in an urban or rural setting? What are my family plans? How important is money to me?

Immediate Goals

But perhaps all of this cannot be decided now. Students with no previous contact with the professional world may have insufficient knowledge to answer the questions above. They may simply seek field experience of any kind or entry into a work study position or summer job.

Substantive Law

Consider the subjects you enjoy most. A good deal of substantive knowledge can be gained in a government agency even in a short placement period. Other placements, for instance a superior

court or district court judge or a city law department, deal with a broad array of substantive areas.

Skills

A good lawyer must develop many skills including writing and drafting, oral advocacy, research, fact investigation, interviewing and counseling, negotiation, problem solving and interpersonal skills. A student's long-term goals may require that he or she develop very specific skills like writing, negotiating, or oral advocacy. Placements vary widely in training students in the skills of lawyering. Many are straight research positions; these are approvable, as are those which expose the student to a broader array of skills than merely research. The primary goal of the Program is to put the student in a position to observe at close range, indeed, to participate in the lawyering process as it proceeds at the field placement office. Again, a personal inventory and an investigation into the nature of the work that a placement agency does will advance the narrowing process.

Rule 3:03

This Massachusetts S.J.C. Rule allows senior law students to make court appearances in civil and criminal cases. Students in their next-to-last year enrolled in a clinical or externship program are allowed to make court appearances in non-criminal cases. Students must meet other rule requirements. Placements will vary as to whether they need this certification or whether they will make use of it. An application for 3:03 certification is available in the Dean of Students Office. Students are responsible for going to the Dean of Students Office to complete the necessary paperwork.

Location

Some students come to law school with a specific plan as to where they will live and practice. If your plans include a specific location within the commuting distance of the law school, then a placement that will enhance your ability to practice in your chosen locale might be important.

Time

Placements tend to be better when students can find longer blocks of time to spend at the placement. Spending a full day or two at the agency may be preferable to spending three blocks of two hours on three different days. This requires planning and scheduling on the part of the student.

Supervision

The key ingredient in any placement is quality supervision. This can require give-and-take on both sides of the relationship. The supervisor must make time for the student, and the student must adapt to the busy schedule of the supervisor. A satisfactory mentoring relationship occurs when there are sufficient opportunities to work together. Students should discuss any supervision concerns with their assigned Externship director.

VII. Creating Your Own Externship

You may wish to create your own field placement either because you know someone who could potentially serve as a site supervisor to you or because your interests lie outside of the placements you have considered. Family members may not serve as students' site supervisors, and students may not extern for credit at law offices which employ their relatives. The major features of a new placement should include solid legal work and a committed site supervisor.

VIII. Narrative Journals for Law Externs

Law Externs must submit five narrative journals during the semester. These journals of student life as a legal extern are designed to serve several functions:

- ✓ Provide sufficient information so that the Faculty Supervisor can effectively oversee the nature of the work performed and the adequacy and style of supervision being afforded by the Site Supervisor.
- ✓ Provide a forum for the student to deepen his/her reflections upon his/her working experience for the purpose of self-assessment, and in order to expand self-awareness of learning and personal work styles. Provide a forum for consideration of personal satisfaction with the working environment, lawyering skills used, and mentoring styles observed.

Throughout the semester, specific topics may be assigned for certain journal entries. If no specific topic is assigned, students may reflect on any topics related to their field placement experience including:

- ★ The type of supervision you are receiving;
- ★ Your supervisor, his or her duties and functions as an attorney;
- ★ The types of skills which you are learning;
- ★ The skills which you still need to develop in order to perform your work well;
- ★ The ways in which you learn and work best;
- ★ The ways in which learning and working are difficult for you;
- ★ The work and lifestyle of the supervisor;
- ★ The nature of the work which you performed;
- ★ Your experience of conducting different types of legal work;
- ★ The nature of relationships among lawyers, between lawyers and support staff, between lawyers and judicial and other officials.

Students should consult Learning From Practice, A Text for Experiential Legal Education (3rd ed. 2016), chapter 8 on Reflection and Writing Journals. Several copies of this book are on reserve in the law library.

Each journal entry, unless otherwise specified, should be 3 to 5 double-spaced pages long, using 11- or 12-point font. Students should keep a copy of their journals for their own records.

The journals will be maintained on the Canvas Externship Site.

IX. Time Logs

Law Externs must keep daily time logs of their work at their field placement. These time logs are designed to serve several functions:

- Confirm that the student is properly fulfilling the requirement of performing legal work for the required number of hours during the semester.
- Provide a record of the substantive work actually performed and completed for the student, supervisor, and instructor.
- Provide sufficient information so that the Faculty Supervisor can effectively oversee

the nature of the work performed and the adequacy and supervision by the Site Supervisor.

Students must follow these time log requirements:

1. The time logs detail the activities the student performs at the placement site, on a 30-minute interval. For example, the time log should report hours spent conducting legal research, drafting memoranda, pleadings of briefs, in conferences, observing hearings, etc.
2. The time log should describe the general subject matter of the work performed without divulging confidential information. For example, "I conducted legal research on the question of whether the United States is immune from suit for claims of slander brought against federal officials acting within the scope of their employment." "Conducted West law and hard copy research." "Drafted 10-page memorandum regarding change of venue"
3. The time log should include a legal description of the work performed and the student's role.
4. The form of the time log must conform to the time log template provided to students. The time log should report the date and hours worked. It should also report the total hours worked for the date, the week, and a running total of hours worked during the semester.
5. Time logs will be submitted through Canvas. Keep a copy of the logs for yourself.

X. Domestic Externship Program Application Online Link

You will receive the online link necessary to apply for approval to participate in an externship.